

OCT 21 1992

Decision 92-10-045 October 21, 1992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of }  
Minoo Mostamand for Certificate of }  
Public Convenience and Necessity to }  
operate as an "on-call" Passenger }  
Stage Carrier between points in San }  
Diego County and Downtown San Diego. }

**ORIGINAL**

Application 92-02-039  
(Filed February 24, 1992;  
amended June 4, 1992)

O P I N I O N

Minoo Mostamand (applicant), doing business as V2 Shuttle, requests authority under Public Utilities (PU) Code § 1031, et seq., to operate as a passenger stage corporation for the transportation of passengers and baggage between San Diego International Airport and various points in San Diego County.

Transportation Division's review of the original application found it to be incomplete, and applicant was informed of Commission requirements.

An amended application was filed, and, on September 14, 1992, Transportation Division filed its Supplemental Advice of Participation as follows:

"Applicant has requested authority, under Section 1031, et seq., of the Public Utilities Code, to establish and operate a passenger stage service between San Diego International Airport (SAN), downtown Santa Fe Train Depot, Greyhound Bus Terminal and the B Street Cruise Ship Terminal, on the one hand, and cities and zip code communities within the geographical limits of San Diego County, on the other hand. The application is complete. No protest has been filed.

"On June 4, 1992, applicant filed an amendment to complete the application. Staff has reviewed and found the application complete. Applicant has complied with Rule 21(k) of the Rules of Practice and Procedure. On July 14, 1992, the assigned Administrative Law Judge

issued a ruling allowing an entity called West Wind Express additional time to review and protest the application. Notice of the filing of the amendment appeared in the Daily Transportation Calendar and no protest was filed. Exhibit 'D' of the application shows applicant's net worth as \$194,000. Applicant proposes to start service with five vans. Staff will not object to granting the application. The certificate to be attached as an amendment to the decision will be forwarded under a separate cover."

Findings of Fact

1. Applicant has the ability, equipment, and financial resources to perform the proposed service.
2. As no protests have been filed, this order should be effective immediately.
3. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Conclusions of Law

1. Public convenience and necessity have been demonstrated, and a certificate should be granted to applicant.

2. A public hearing is not necessary.

Only the amount paid to the State for operative rights may be used in rate fixing. The State may grant any number of rights and may cancel or modify the nonopoly feature of these rights at any time.

ORDER

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Mino Mostamand (applicant) authorizing him to operate as a passenger stage corporation, as defined in Public Utilities

(PU) Code § 226, between the points and over the routes set forth in Appendix PSC-7777, to transport persons and baggage.

2. Applicant shall:

- a. File a written acceptance of this certificate within 30 days after this order is effective.
- b. Establish the authorized service and file tariff and timetables within 120 days after this order is effective.
- c. State in his tariffs and timetable when service will start; allow at least 10 days' notice to the Commission; and make timetable and tariffs effective 10 or more days after this order is effective.
- d. Comply with General Orders Series 101, 104, and 158, and the California Highway Patrol safety rules.
- e. Maintain accounting records in conformity with the Uniform System of Accounts.
- f. Remit to the Commission the Transportation Reimbursement Fee required by PU Code § 403 when notified by mail to do so.

3. Before beginning service to any airport, applicant shall notify the airport's governing body. Applicant shall not operate into or on airport property unless such operations are also authorized by the airport's governing body.

4. Applicant is authorized to begin operations on the date that the Executive Director mails a notice to applicant that his evidence of insurance is on file with the Commission and that the California Highway Patrol has approved the use of applicant's vehicles for service.

5. Applicant shall comply with PU Code §§ 460.7 and 1043, relating to the Workers' Compensation laws of this state.

6. The application is granted as set forth above.  
This order is effective today.

Dated October 21, 1992, at San Francisco, California.

DANIEL Wm. FESSLER  
President  
JOHN B. OHANIAN  
PATRICIA M. ECKERT  
NORMAN D. SHUMWAY  
Commissioners

I CERTIFY THAT THIS DECISION  
WAS APPROVED BY THE ABOVE  
COMMISSIONERS TODAY

  
NEAL J. SHULMAN, Executive Director

PB

T/MEE/ebi

Appendix PSC-7777

Minoó Mostamand

Original Title Page

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
AS A PASSENGER STAGE CORPORATION  
PSC-7777

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Showing passenger stage operative rights, restrictions,  
limitations, exceptions, and privileges.

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All changes and amendments as authorized by  
the Public Utilities Commission of the State of California  
will be made as revised pages or added original pages.

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Issued under authority of Decision 92-10-045, dated  
October 21, 1992 of the Public Utilities Commission of the  
State of California in Application 92-02-039.

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**SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS.**

Minoo Mostamand, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers and their baggage, on an on-call, door-to-door basis, between points in San Diego County, described in Section 2, on the one hand, and San Diego International Airport (SAN), Santa Fe Train Depot (Amtrak Station), Greyhound Bus Terminal (Greyhound Station) and the "B Street Cruise Ship Terminal, on the other hand, over and along the routes described in Section 3, subject, however, to the authority of this Commission to change or modify the routes at any time and subject to the following provisions:

- (a) This certificate does not authorize the holder to conduct any operations on the property of or into any airport unless such operation is authorized by the airport authority involved.
- (b) When route descriptions are given in one direction, they apply to operations in either direction unless otherwise indicated.
- (c) No passengers shall be transported except those having a point of origin or destination at SAN, Amtrak Station, Greyhound Station or B Street Cruise Ship Terminal.
- (d) The term "on-call" as used refers to service which is authorized to be rendered dependent on the demands of passengers. The tariffs shall show the conditions under which each authorized on-call service will be provided, and shall include the description of the boundary of each fare zone, except when a single fare is charged to all points within a single incorporated city.

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SECTION 2. SERVICE AREA DESCRIPTIONS.

San Diego County

All points within the geographical limits of San Diego County.

SECTION 3. ROUTE DESCRIPTIONS

On-call, door-to-door, service

Commencing at SAN, Amtrak Station, Greyhound Station or the B Street Cruise Ship Terminal, then via the most convenient streets and highways to any point within the service area described in Section 2.

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